

Message

From: Hanson, Robyn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C4CD36EF688F47ABA2373A33B5D9B8FF-HANSON, ROB]
Sent: 2/5/2021 4:44:58 PM
To: Cathy Laughner [cathyl@bkbh.com]
CC: 'Thomas Jodoin' [TJODOIN@helenamt.gov]; Erin Much [Erin@bkbh.com]
Subject: RE: Sample CA/FO
Attachments: Antrim Township PA, CWA, SCAFO, 5-5-2017..pdf; City of Louisville CO_CWA-08-2017-0027 CCCA & Final Order.pdf

Hi Cathy,

Attached are two examples of consent agreements (sometimes captioned as a "combined complaint and consent agreement") and final orders issued in other CWA pretreatment cases. These CA/FOs were entered between EPA and other municipalities to cooperatively resolve EPA's CWA claims through payments of administrative penalties prior to the filing of any administrative complaints. See 40 C.F.R. § 22.13(b).

Please note that I am providing these examples to give you a general context about CA/FOs that have been entered in other CWA matters involving pretreatment violations. They should not be used by the City to set an expectation on the penalty amount the EPA will seek in the ongoing settlement negotiations. Each penalty amount is determined based on a case-specific application of statutory penalty factors.

-Robyn

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402.0044.2020_HelenaWWTP

From: Cathy Laughner <cathyl@bkbh.com>
Sent: Monday, February 1, 2021 8:34 PM
To: Hanson, Robyn <Hanson.Robyn@epa.gov>
Cc: 'Thomas Jodoin' <TJODOIN@helenamt.gov>; Erin Much <Erin@bkbh.com>
Subject: Sample CA/FO

Rachel,

Last week you explained that the Agency requires a CA/FO and you could send us an example. Sometime this week, would you be able to provide us with a copy of one so we could see what would be required of the City? Does a Respondent sign?

Thank you.

Cathy